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A

DEFENCE

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OF THE

RECTOR and FELLOWS

OF

EXETER COLLEGE,

FROM THE

ACCUSATIONS

Brought againſt them by

The Reverend Dr. *Huddesford*,

Vice-Chancellor of *OXFORD*;

IN

His Speech to the Convocation, *October* 8, 1754, on Account of the CONDUCT of the ſaid COLLEGE, at the Time of the late ELECTION for the County.

LONDON:

Printed for J. BOUQUET, in *Peter-noſter-Row*, 1754.

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Printed for J. Bourgeois in Paternoster Row. 1754.

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DEFENCE, &c.

THE Rector and Fellows of *Exeter* College having been treated in a very extraordinary Manner, by the Rev. Dr. *Huddesford*, Vice-Chancellor of *Oxford*, in his late Speech to the Convocation, on Account of their Conduct at the late County Election, the World may expect to hear some Particulars of this Matter, and whether any Thing can be said in Defence of the College: And such an Expectation is very proper to be grati-

 tified.

fied. For though Calumny thrown out by low inſignificant Perſons, ſuch for the moſt Part as have hitherto abuſed them, may be deſpiſed; yet, when the ſame Courſe ſhall be taken by a Perſon of Rank and high Office in the Univerſity, it then becomes too ſerious to be neglected, as it not only excites the Attention of the Public, but demands that of the College. A Vice-Chancellor may be thought to ſpeak with ſome Authority. By the Rules of the Univerſity, he cannot be contradicted in the Convocation-Houſe; a Defence, therefore, againſt injurious Charges from that Quarter, muſt be a publick Defence. The College muſt be defended this Way, if it can be defended at all.

Let it not be imagined that any Thing to be ſaid by the Author of this Defence is levelled againſt the Univerſity, for which he profeſſes the greateſt Reverence, and to whoſe real Intereſts he is moſt affectionately attached. The Vice-Chancellor, though the Head, muſt yet be diſtinguiſhed from the Body over which he preſides; he may miſtake the true Intereſts and Credit of the

Place; he may act directly contrary to both. He may himself violate the very Statutes he ought to guard, and oppress the Persons he is bound to protect. How far this Reflection may be applied to the present Vice-Chancellor, will appear in what is to follow.

BEFORE we enter into the Merits of the Vice-Chancellor's Charge against *Exeter* College, it may be proper just to remark, that this is not the first Attack he has been pleased to make upon that Society in the same Way. For he began the same injurious Reflections upon the College at the last Commemoration of the University Benefactors, by the Mouth of his Agent, who declared he spoke *Imperio Vice-Cancellarii*; and what he then said has been since approved of by his Constituent, who has publickly acknowledged him to be *Orator Laudatissimus*. How justly the said Agent is entitled to this Epithet, may be noted hereafter; in the mean while one cannot help remarking, that the Orations of *July* and *October*, are so very similar, both in the Stile and Spirit, that you are almost

tempted to pronounce them the Productions of the ſame Pen.

We now come to give a ſhort Detail of the Vice-Chancellor's Charge againſt *Exeter* College, the Subſtance of which, as far as was then recollected, was briefly this,—that "although during the Tumult "in the Town (occaſioned by the County "Election) the young Gentlemen behaved "with great Temper and Decency, and "the Univerſity in general was remarka-"bly regular, yet he was ſorry he was "obliged to except *one particular College*, "againſt the back Gate of which the "Booths had been unfortunately erected, "whether accidentally, or by the Deſign "of wicked Men *, he would not deter-"mine. That the Behaviour of the Col-"lege upon the Occaſion, had been ſuch "as had brought heavy Reflections upon "it

* It is obſervable, the Booths were erected within the City of *Oxford*, and in this very Part of the Town, at the Inſtance of the Gentlemen of the *Old Intereſt*. Thoſe on the other Side were deſirous that the Poll might be taken in St. *Gyles*'s *Field*, as had been done at the former conteſted Election. But this was not approved

" it, had given great Offence, and was a " Reproach and Scandal to the Univerſity; " that they had opened one of their Gates " to receive the Countrymen, and had let " them out through the other to poll; " that theſe People, (*viz.* the Body of the " *New Intereſt* Freeholders) ſo received " and entertained with Meat and Drink, " were the *vulgus profanum, famelicum,* " *monſtrum horrendum, informe, cui Lumen* " *ademptum.* That not only the Hall and " Courts of the College had been conſpur- " cated and defiled with Filth and Naſti- " neſs, Drunkenneſs, and Gluttony; but " even the very Bed-chambers likewiſe, " made the Scenes of Riot and De- " bauchery; that he was ſenſible he was " treading on ſlippery Ground, but was " obliged to cenſure the College now, that " it never might be guilty of the like Of- " fence for the future."

proved of. One might be tempted to think the *Old Intereſt* themſelves had a Deſign in this. It was probably, that the Election might be made *under the Inſpection of the Muſes.* If Matters have turned out otherwiſe than was expected, this is all owing to themſelves.

THE Reader will of courſe ſuppoſe, he can have here but an imperfect Sketch of the Charge laid againſt the College, no more being meant in this Place than to give him a very general Account of it, from what was recollected of it immediately after 'twas delivered. The Speech itſelf, which was very long, conſiſted in a great Meaſure of Accuſations againſt *Exeter* College; it could be no eaſy Matter, therefore, to carry off whole Sentences by Memory, with a ſufficient Degree of Accuracy, or to note every Expreſſion minutely, and in its proper Place; eſpecially when repreſenting it in a Language different from what it was ſpoken in. But I am confident, no one who heard it will ſay it is here repreſented with Aggravations, or in too ſtrong Colours, but rather in too faint ones for the Original, and in too curſory a Manner. It would have been more for the Satisfaction of the Reader, as well as of the Writer, could the Party accuſed have been favoured with a Copy of that Part of the Speech which contained the Accuſations, in order to obtain which,

MVSEVM BRITANNICVM FH

THE Day after this Speech was deliver'd, the Rector with ſome of the Fellows waited on the Vice-Chancellor and requeſted a Copy of that Part of his Speech which reflected on the College; alledging, that as he had been pleaſed to paſs ſome very heavy Cenſures upon it, they hoped he would do them the Juſtice to give them a Copy of what he had ſaid, that they might know the full Extent of the Charge brought againſt them, in order for their Vindication; that it was impoſſible to recollect one half of it with ſufficient Exactneſs, as it made ſo conſiderable a Part of the Speech, and that they were very deſirous of being exact, that there might be no room to complain of Miſrepreſentation afterwards, *&c.*—The Vice-Chancellor anſwer'd, that he had reflected on nobody of the College, had ſpoke handſomely of the Rector and the Tutors, and had only lamented the unhappy Situation the College was in by the Admiſſion of ſuch Kind of People, *&c.*——With regard to the granting a Copy of the Part of his Speech as requeſted, he ſaid it was not uſual to demand a Copy of the Vice-Chancellor's Speech; you heard what was ſaid, and will be able to recollect it, *&c.*

OTHER Parts of the Converſation that paſs'd between the Vice-Chancellor and the Gentlemen of *Exeter*-College, I make no mention of in this Place. At preſent I only remark upon two Things, as being of a very ſingular Nature, *viz.* the Vice-Chancellor's affirming that he had reflected on no one of the College; and his Refuſal of a Copy of his Speech ſo far as related to the College.—

COULD the Vice-Chancellor ſay, and be ſerious in ſaying it, that he had reflected on no one of the College? On whom then, or on what did he reflect? On the Walls of the College? The poor Walls were not to be blamed; no, not even had they contained as much Corruption and Defilement as he has repreſented them. Neither were the Gates of the College in Fault; not even the worſt of the Gates, the Ψευδόθυρον, *the Back-Gate* itſelf, was any way criminal. For it was not a ſelf-opening Gate, but turn'd on its Hinges at the Direction of thoſe who have the ſole Right of commanding its Motions. Give me leave to ſay without Offence, that ſo evaſive, and at the ſame time ſo unmeaning a Reply of Mr. Vice-

Vice-Chancellor's, cannot be treated otherwiſe than in a ludicrous Manner; and yet ridiculous as this Plea was, he ſcrupled not to repeat it ſeveral Times in the Converſation above-mentioned.

As to the Vice-Chancellor's Refuſal of a Copy of his Speech ſo far as related to *Exeter*-College, the Remark to be made is of a more ſerious Kind, being founded on the Principles of common Juſtice, *viz.* that Perſons againſt whom a Charge is made, eſpecially of ſo public a Nature as this, have a Right to know minutely and preciſely what the Charge contains. It ſeems unreaſonable, it ſeems highly oppreſſive, to ſend a Priſoner, and not withal to ſignify particularly the Crimes laid againſt him. Upon his ſaying it was not uſual to *demand* a Copy of a Vice-Chancellor's Speech, it was replied, that ſuch a Copy was not *demanded*, but *requeſted* only, as a Matter of Equity, that the College might be enabled to enter into an Examination of each Particular charged upon it, in order for its Diſculpation. To which was added, that tho' no *Demand* of ſuch a Copy was made, yet if a Proctor of the Univerſity had ſaid

the ſame Things in his Speech, the College would certainly have applied to him (the Vice-Chancellor) to *demand* a Copy of what the Proctor had ſo ſaid.—To which it was coolly anſwered, " He believ'd he ſhould not have demanded ſuch a Copy, had the ſame Things been ſpoken by a Proctor, in ſo general a Manner; that what he had ſaid was no more than a Repreſentation of Facts, which he thought fell properly under his Notice, *&c.*"

THAT the Vice-Chancellor ſhould be induced to refuſe the College this Piece of Juſtice can be accounted for no other Way one can think of, but by the Hint ſuggeſted by himſelf in his publick *Latin* Speech; in which, ſpeaking on the Subject we are upon, he trembling ſaid, *he found himſelf treading upon ſlippery Ground*, which looked as if he meant in other Words, that he found himſelf ſaying ſome Things which he could not juſtify; but upon deſiring an Explanation of theſe Words, he gave them ſomewhat of another Turn, ſaying that what he meant by *ſlippery Ground* was, that he thought he might give Offence to ſome Perſons, and he found he was not miſtaken.

miſtaken. I make no other Remark on this Explanation than, that if he did not reflect on any Perſon, as he declares he did not, why ſhould he be afraid of giving Offence to any Perſon?

Of the Candor and Equity of this Proceeding of Mr. Vice-Chancellor's, the World will judge.—But tho' the College could not obtain what they ſo earneſtly requeſted, a Copy of the Charge againſt them; yet they have been ſupply'd, in ſome Meaſure, by another Way. For,

Within two Days after the above-mentioned Conference, a farther Account of the Vice-Chancellor's Speech, having been ſent to *London*, was printed and came down in the *London-Evening-Poſt*, and was afterwards repeated in *Jackſon's Oxford-Journal* of *October* the 12th; the Article was this;

We hear from Oxford, that on Tueſday laſt the Reverend Dr. Huddesford, Preſident of Trinity-College, entered on the ſecond Year of his Office of Vice-Chancellor; having been nominated thereto by the Right Hon. the Earl of Arran,

Arran, Chancellor to that Univerſity. In his Speech on this Occaſion, wherein he recapitulated the Events of the preceding Year, he took the Opportunity of complimenting the younger People, and the Univerſity in general, on the good Behaviour of its Members during a long and protracted Poll and Scrutiny, at the County Election. This led him naturally to animadvert with a becoming Zeal and Severity, on the infamous Behaviour of ONE COLLEGE, *which in Deſpight of all Decency, opened its Gates, and its Cellars, to the Refuſe of Mankind, and proſtituted itſelf, during the whole Poll, to be the Shop of* CORRUPTION, *and the Factory of* PERJURY.

I MAKE no Apology for ſuppoſing the Vice-Chancellor to be the Author of this Article; that is, that he either ſent it himſelf to the *London-Evening-Poſt*, or gave Directions to others to do it. At leaſt he ſtands accountable for it, as a Conſequence of the Abuſes he had thrown out in his Speech, in which it is evident he was underſtood by his Hearers as ſaying ſo much, and that he has ever ſince acquieſced in the Imputation, or otherwiſe he could not fail to have contradicted it, and to have remon-

monſtrated againſt this injurious Article, eſpecially when republiſhed in the *Oxford* Paper.

LET us now proceed to enquire what *Exeter*-College has really done to draw upon it theſe bitter Invectives from the Vice-Chancellor; and here ſome Account of the Behaviour of the College, during the Poll, becomes neceſſary. In order to which we will recite the Vice-Chancellor's Programma at large, that it may be ſeen what Reſpect was paid to it by the Rector and all his Society. The Programma was as follows;

" WHEREAS there is great Reaſon to ap-
" prehend that the intermixing of Gowns-
" men in the great Concourſe expected in
" this City at the County Election, on
" *Wedneſday* next, cannot but be attended
" with manifeſt Danger of Miſchief and
" Inſult to their Perſons.—

" THE Vice-Chancellor thinks it neceſ-
" ſary to deſire of every Governor of each
" College and Hall, that they will cauſe
" their Gates to be ſhut during each Day

" of

" of the Poll: and that no one be ſuffer'd
" to go out but by their Permiſſion in
" Writing, and upon giving ſatisfactory
" Reaſon for ſo doing.

" I DO likewiſe hereby ſtrictly forbid
" every Scholar (except the Proctors, their
" Deputies, and ſuch as have legal Votes
" in the Electon aforeſaid) to come near
" the Place of Polling; or to intrude into
" or mingle in any Croud: and more eſpe-
" cially I do forbid all and each of them
" to appear abroad without their reſpective
" Academical Habits; or bearing Clubs,
" Sticks, or any other Weapon whatſoever
" during the Days of the Poll: and this
" under the Penalty of having their Names
" put in the black Regiſter, and being far-
" ther proceeded againſt with the utmoſt
" Severity.

" AND for the more ſecure Protection of
" Scholars from Broils and Indignities, and
" the more effectual Preſervation of Peace
" and good Order, I do except out of the
" aforeſaid Prohibition, and appoint the
" under-named Gentlemen to have the
" Power and Authority of Proctors during
" the

" the Days of the ſaid Election: and do
" entruſt them to uſe their utmoſt Dili-
" gence to detect, and bring to Puniſh-
" ment every Offender againſt this my Pro-
" gramma, *&c.*

" *Geo. Huddesford*, V. Chr.
" *Trinity-Coll. Oxford*,
" *April* 15, 1754."

No Remark need be made on the Accuracy of this Compoſition; it is before the Publick, and the Publick will judge of it. *Exeter*-College was not diſpoſed to quarrel with the Letter of it: It was their Inclination as well as their Duty to attend to the Spirit and Deſign of it. They did ſo. The Vice-Chancellor himſelf has acknowledged he had no one Objection againſt the Behaviour of the young Gentlemen of the College. Indeed there was no room for any Complaint againſt them, either within or without the Walls. They behaved with great Modeſty and Decorum during the whole Time, which is the more to be taken notice of, as they muſt undoubtedly have been ſubject to ſome Inconveniences, from the Entertainment of ſo large a Family in the College, for the greater Part of the

Day-

Day-time. The College-Gates were kept ſhut ſo far as to anſwer the full Intention of the Programma. They were not open to the Members of the College, but to thoſe only who had Buſineſs to go out. The former ſubmitted to their Confinement with great Prudence and Moderation, and for a longer Time than the Members of moſt, if not of every other College were obliged to; they having been permitted to go out of their ſeveral Colleges, eſpecially thoſe of the Vice-Chancellor's own College, much earlier in the Poll than thoſe of *Exeter*. This is not mentioned here for the Sake of making Compariſons, but purely to ſhew what ſtrict Regard was paid to the Vice-Chancellor's Programma, by the Rector and whole Society of *Exeter*-College.

WHAT is it then that has given Mr. Vice-Chancellor ſo much Offence?—Why, the Freeholders, the *New Intereſt* Freeholders were received into *Exeter*-College and permitted to paſs thro' to poll. *Hinc illæ lachrymæ.*—

THE Truth of the Caſe needs no Diſguiſe nor Varniſh, the Reader is welcome

to

to it in its native Dreſs; and it is this.—The Rector was requeſted by ſome very conſiderable Perſons in the New Intereſt to admit their Voters into the College, in order to be protected againſt the Inſults they were expos'd to without. This Requeſt was readily complied with, as well from a Principle of Humanity and Juſtice, as from a hearty Good-Will to the Cauſe itſelf. And afterwards, when it was found that the Avenues to the Place of Poll were cloſely ſhut up by the Crouds of the Old Intereſt Mob, theſe New-Intereſt Freeholders were then permitted to paſs thro' *Exeter* Back-Gate to vote. And by this Means the New-Intereſt were enabled to maintain their Ground; and this is the ſole Occaſion of the Violence and Rage of the Old-Intereſt againſt the College. As for the more ſcandalous Part of the Vice-Chancellor's Charge, it will appear, as we go on, to be abſolutely groundleſs. It is Time now to examine it particularly.

THE Charges of the Vice-Chancellor againſt *Exeter*-College, as contained in his *Speech* and his *News-Paper*, may be reduced to the following Heads;

1. THAT during the late Poll for Members of Parliament, the College had open'd their Gates, and admitted Freeholders; Perſons, who were the Refuſe and Scandal of Mankind.

2. THAT they had permitted them to paſs thro' their Back-gate, to poll at the Election.

3. THAT they entertain'd them with Meat and Drink, in the College.

4. THAT the College, by the Intemperance of theſe Men, was a Scene of Drunkenneſs and Debauchery; that it was cover'd over with Filth and Naſtineſs, and its very Bed-chambers defiled.

5. THAT it was likewiſe the Shop of Corruption, and the Factory of Perjury.

NOW in Anſwer to all this, I obſerve in the *firſt* Place, that, notwithſtanding theſe Charges, the Vice-Chancellor himſelf has acknowledged, that neither Rector nor Fellows, had violated any one of the Univerſity

ſity Statutes, on this Occaſion. From whence,

I OBSERVE in the *ſecond* Place, that the Vice-Chancellor had no Right at all to interpoſe in this Affair. He has no Right to interpoſe in any Affair tranſacted within the Walls of a College; but under the Limitations mentioned in the Statute *de Judiciis*, § 13. (to which the Reader is refer'd,) and he might as well make the Conduct of the Head and Fellows of a College in *Cambridge* the Subject of a reproachful Speech, as do ſo by the Head and Fellows of a College in *Oxford*.

BUT the Vice-Chancellor told the Rector, in the Converſation that paſſed between them, that the Behaviour of the College at this Juncture fell properly within his Province to animadvert upon, in his anniverſary Oration, amongſt the Occurrences of the preceding Year. That the Condition the College was in at the Time of the Poll was a Matter of common Talk, and *as ſuch* became a Vice-Chancellor to take notice of, as it gave general Offence.—Offence to whom, Mr. Vice-Chancellor? It could

give offence but to the Well-Wiſhers of *one* Side at moſt.—Yes, every one he had converſed with had complain'd of it, and many, who were Perſons of Candor, and who did not ſpeak, he believed, out of Party-Zeal. —Sir, if you had converſed alike with Gentlemen of all Sides, you would have heard the Part *Exeter*-College had taken as highly commended by one Set of Gentlemen, as diſcommended by another. Perſons of the firſt Diſtinction, and of unblemiſhed Honour and Integrity, have applauded the Conduct of the College in the higheſt Terms. Therefore the Offence, Sir, was not *general*.

HAD you thought fit, Mr. Vice-Chancellor, to employ your Animadverſions where you had a Right to animadvert, you would have taken notice of the Riots and Drunkenneſs that paſſed amongſt the Freeholders about the Town. This would have properly fallen under your Cognizance, as a Magiſtrate in the City. But *Exeter*-College you had nothing to do with; what paſſes within thoſe Walls, falls not within your Juriſdiction. The College is

anſwer-

anſwerable to the Viſitor only upon any Departure from its private Statutes; and as to any Violation of the Statutes of the Univerſity, that, Sir, you do not charge it with. —Why, as to the Inns and Publick-Houſes about Town, they were taken up, and he did not think to concern himſelf about them; but if any other Colleges had been in the ſame Situation as *Exeter*, He would have made the ſame Reflections upon them, *Baliol* for Inſtance, or *Magdalen*, or St. *John*'s.—Mr. Vice-Chancellor, you made no Reflections upon *one* other College, who entertained Freeholders of one Side in their common Hall, as well as *Exeter*-College thoſe of the other.—He had never heard of any ſuch Thing; but if they did entertain them one Day at Dinner, that was very different from keeping them in College many Days together.

We now return to anſwer particularly to the ſeveral Charges above mentioned, under their ſeveral Heads reſpectively. The Matters charged in the above Articles are, ſome laudable, ſome defenſible, and others

falſe in Fact. And this will appear by conſidering the ſeveral Articles diſtinctly.

1. The firſt Article charges, that the College opened their Gates to Freeholders; and that theſe Freeholders were the Refuſe and Scandal of Mankind. The former Part of the Charge is true, but laudable; the latter is falſe, and deſerves no Thanks from the Freeholders. I muſt take the Liberty to call it an Inſult upon the eſſential Rights of a College, for the Vice-Chancellor to preſcribe What Perſons ſhall be admitted within its Walls. The preſent Gentleman is the firſt of his Station who ever aſſumed that Prerogative. The Freeholders were not admitted without ſufficient reaſon. It was requeſted, as was before mentioned, by Perſons of great Honour and Diſtinction. The End of doing it was, that the Freeholders might be protected from Inſults abroad; from Inſults even from the Scholars: ſeveral of this Kind having been already born with Patience. By this Means the Peace was preſerv'd during the Poll, and by this Means too, Mr. Vice-Chancellor had an Opportunity of complimenting the young Gen-

Gentlemen upon their peaceable Behaviour, in his Speech. The admitting the Freeholders, under theſe Circumſtances, was a Matter of common Juſtice and Humanity. It is the Duty of every Man to ſuccour a Perſon diſtreſſed, and to afford him a refuge when purſued by an enraged Adverſary.

But the Vice-Chancellor affects to talk in his candid Manner, that in his Speech he had only lamented the unhappy *Neceſſity* the College was under of admitting theſe People, on account of the bad Conſequences of it.—What bad Conſequences, Mr. Vice-Chancellor? The College knows of none; except this only, that they have been publickly ſtigmatized by you, Sir, in your Speech. But they are not ſenſible of having done wrong in the Affair, and would act the ſame Part again, were a like Occaſion to offer. *You* perhaps may reckon it another bad Conſequence, that by this Means the New-Intereſt Freeholders had Acceſs to the Booths.

As to the *Neceſſity* the Vice-Chancellor ſpeaks of, which the College lay under of

admitting theſe People, &c, this is to be explained by ſomething that paſſed in a former Conference betwixt himſelf and the Rector, who waited upon him ſome few Days after the Poll for Redreſs againſt the Window-Breakers. 'Twas in this Diſcourſe the Vice-Chancellor remark'd upon the unfortunate Situation of *Exeter*-College, and that he himſelf would not have admitted ſuch Sort of People into his College. To which the Rector reply'd, that the Meaſures he had taken could not be avoided, that he was not only deſired ſo to do by thoſe he was willing to oblige, but that it ſeem'd to him to be but juſt that the Freeholders ſhould have a Paſſage to the Booths, which otherwiſe they would not have had; and moreover, that this Meaſure had contributed moſt effectually to preſerve the Peace, by keeping the two Parties ſeparate from each other as much as poſſible. As to this laſt Part the Vice-Chancellor was candid enough to think there might be ſomething in it; but the two former Motives did not go down with him ſo eaſily. However, after this friendly Diſcourſe, little did the poor Rector expect to hear himſelf

and

and his College ſo ſolemnly arraign'd and condemn'd, *ex Cathedrâ*, before the Univerſity.

The Vice-Chancellor's Character of the Freeholders in the New Intereſt, *viz.* that of *vulgus profanum, famelicum, monſtrum horrendum, informe,—cui lumen ademptum*, was declared by him to be ſpoken in *general*, and that his Epithets were only deſcriptive of what appear'd of thoſe Kind of People, —But were not the Freeholders of the New Intereſt as conſiderable Perſons as thoſe of the Old? If they were, this Deſcription muſt be extended to the Groſs Body of the Freeholders of the County. But this, 'tis preſumed was not intended by him. It remains therefore, that he deſigned it for the Deſcription of the New Intereſt only. With what Juſtice he has fixt upon them this infamous Character, muſt be left to himſelf to explain. He might at leaſt have vouchſafed to except ſome of the principal Gentlemen of the County, in that Intereſt, who made *Exeter*-College in a great Meaſure the Place of their Reſidence at the Time; Perſons as diſtingable for their

Honour

Honour and Integrity, as reputable for their Rank and Fortunes.

2. I COME now to ſay ſomething to the ſecond Head of the Vice-Chancellor's Charge, *viz.* that the College permitted the Freeholders to paſs thro' their Back-Gate to poll at the Election.—This was not only defenſible, but commendable. It preſerved that Liberty of Voting which is the Right of every Freeholder. All other Paſſages to the Place of Polling had been poſſeſſed by the Old-Intereſt-Men, who prevented thoſe of the New from Acceſs theſe Ways. But when this Scheme was fruſtrated by the Society of *Exeter*, a dreadful Outcry was raiſed upon it. Sir *J. Daſhwood* came and demanded of the Rector that he would ſhut up his Back-gate. The Rector anſwer'd, that if he ſhould be requeſted to do ſo by all the Candidates, he would readily comply; but that Sir *James* himſelf could not think it reaſonable to do this, at the requeſt of one Candidate only. You will find, ſaith Sir *James*, all the Gentlemen are for it. But the Rector, upon going to the Booths, found the contrary.

How-

However, it was agreed at laſt that the Back-gate ſhould be ſhut, if Sir *James* would undertake to clear the Way, and keep it open, for the New-Intereſt to approach by the common Paſſages. Sir *James*, or ſome of his Friends try'd, or pretended to try, and nothing came of it. The Gate therefore was ſtill kept open, and the Freeholders continued to paſs thro' it to the Poll.

— FROM this ſimple Narrative of Fact I have but one Remark to offer, which is, that the Vice-Chancellor, before he took the Freedom of cenſuring the College on this Head, and thereby juſtifying the moſt notorious Violation of *Engliſh* Liberty, ſhould have been ſure that what he was doing would be approv'd of elſewhere. For poſſibly he may not meet with the Thanks from that Quarter he may think he deſerves. After all, one cannot imagine any Gentleman to be in earneſt, when he affects to talk of the *Unfairneſs* of coming to a Poll thro' a Back-way. For in the Name of common Senſe, of what conſequence is it, which Way ſoever a Man comes to the Poll,

Poll, provided he has a Right to poll at all? Whether it be thro' a Back-Door, or Fore-Door, or no Door at all, which ever Way gives him the eaſieſt and ſafeſt Acceſs, that he has a Right to make uſe of, if he can.—A very worthy Perſon, of great Diſtinction in the Univerſity, though voting on the Vice-Chancellor's Side of the Queſtion, made uſe of this Right: and paſſed to the Place of Poll thro' the Rector's own Lodgings.—Now, I would aſk, Did theſe Voters create any Diſturbance? Did they obſtruct others from voting? Did they vote clandeſtinely? Or in any Reſpect infringe the Freedom of Election? Where then could be the Crime of obtaining Acceſs to the Poll this Way, which otherwiſe was inacceſſible?

3. The Vice-Chancellor's third Charge is, that the Freeholders were entertained with Meat and Drink in *Exeter* College.—And why might not this be done at *Exeter*, as well as *New* College? If this were unlawful or unfit to be done ſix Days together, it muſt be proportionably ſo, to be done one Day. And yet *New* College has

never been blamed, either by the Vice-Chancellor or any one elſe, as far as I have heard, for entertaining what Gueſts they thought proper: they themſelves were the beſt Judges whom to entertain, and had no Occaſion to aſk the Vice-Chancellor's Leave. The ſame Right is claimed by *Exeter*. The ſame Arguments which have been urged in Defence of the College for admitting the Freeholders into it, and permitting them to go to poll through the back Gate, will hold here likewiſe. There were great and unavoidable Delays in the Polling, during which the Waiters muſt either be refreſhed or ſtarved. See how reaſonable the Vice-Chancellor is!—The Freeholders ought not to be admitted into the College even for the ſake of Protection: Or, if admitted, they ought not to be allowed a Paſſage through the back Gate: Or, if this ſhould be allowed, he would have them ſtarve before they could make any Uſe of this Privilege.——That the Freeholders in general were content with moderate Proviſions, is well known to thoſe who conducted that Affair.—It would be well if the Vice-Chancellor would employ that Time

Time in managing his own College, which he throws away about another, with which he has no Concern.

4. We proceed now to the more ſcandalous Parts of the Vice-Chancellor's Charge; ſuch as that under the fourth Head, that by the Intemperance of the Freeholders the College was a Scene of Drunkenneſs and Debauchery; that it was covered with Filth and Naſtineſs, and its very Bed-chambers defiled. This Charge is abſolutely denied; the Modeſty and good Order of the Freeholders entertained was in the general remarkable. They, many of them, attended the Chapel at the Hours of Prayer, where they behaved with Decency and Devotion. Though it has been ſaid by ſome (I think, this is no Part of the Vice-Chancellor's Charge) that the Chapel was turned into a Stable for the Freeholders Horſes.—That there was not any the leaſt Degree of Intemperance obſervable amongſt them for ſo long a Time, who will take upon him to aſſert? And if aſſerted, who will think it credible, or even poſſible, conſidering the Numbers

that were together, and the Occaſion that brought them thither? The Author of theſe Pages was a frequent Spectator of what-paſſed among them, and as frequent a Commender of their moderate and reſpectful Behaviour.

But pray, Mr. Vice-Chancellor, were you yourſelf a Witneſs of any Thing amiſs in the College at this Time? Or do you know the Truth of the Facts you have charged it with? Thoſe Scenes of Gluttony, Drunkenneſs, and all Kinds of Defilements even in the very Bed-chambers, which you have imputed to it in your Speech, Have you any Proof, Sir, for theſe Accuſations, beſides the Report of Perſons, who wiſhed ill to the College, on account of the Part they eſpouſed in the Election? — Why, it ſeems, every one you met with complained of it.—But ſhould you not conſider how ſparingly ſuch Complaints are to be liſtened to, eſpecially at Election Times, where Men are too apt to invent the Reports they ſpread, for the ſake of blackening and defaming? And ſhould you not have had a better Foundation than mere

Election-

Election-Calumny, before you ventured to build upon it ſo heavy a Charge?

But Mr. Vice-Chancellor ſeems to be pleaſed with thinking, he hath furniſhed himſelf with one Proof, at leaſt, in Support of his *general* Charge. And this Inſtance conſiſts of a *particular* Charge againſt one of the Fellows; through whoſe Side the College is to be wounded. It is this, that *Mr.* B——, *lodged in his own, or in ſome Gentleman Commoner's Bed, one of the vileſt Fellows about the Country.* And of this, it ſeems, an Affidavit had been made before him. The Vice-Chancellor was deſired to name the Perſon who made the Affidavit: he declined it, ſaying, you beſt know, Mr. *B*——, what Truth there is in it. Mr. *B*—— declared, upon his Honour and Conſcience, that as far as he underſtood it, without a Sight of the Depoſition, it was abſolutely falſe, (not what the Vice-Chancellor had ſaid, but what the Man had ſworn to, that perhaps the Depoſition had been improperly taken by him, as was known to have been a Caſe that had happened more than once. That there were

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Ways of taking Affidavits, that did not always bring Truth to Light; that if the Vice-Chancellor had acquainted him with this Affidavit before, that he might have had an Opportunity of clearing himſelf, it would have been kinder than reſerving it for the Lamentation of a publick Speech; but he hoped the Vice-Chancellor would ſtill enable him to do himſelf Juſtice, by giving him a Sight of the Affidavit. The Vice-Chancellor refuſed.

MARK now the Juſtice and Candor of this Proceeding! Who is this vile Fellow? He doth not ſay. Who made this Affidavit? He will not diſcover. He will not give the very Perſon he accuſes ſo much as a Sight of it. On this Footing, how is it poſſible that any innocent accuſed Man can clear himſelf? In ſhort, no good Reaſon can be given for his refuſing to produce this Affidavit, but that he is afraid it has been taken improperly. *If ſo*, he is wiſe in refuſing, but was he wiſe, in officiouſly taking an Affidavit, in a Matter not cogniſable by a publick Magiſtrate? I have

no more to ſay to this Article, but go on to the next; which is

5. The fifth and laſt Charge, *viz.* That *Exeter* College, during the Election, was the Shop of Corruption, and the Factory of Perjury.

It muſt look ſtrange to the Eye of every Reader, that a Society of Scholars, Perſons of Character, of a liberal Education, and entruſted with the Education of others, ſhould find themſelves under the Neceſſity of anſwering to a Charge of ſo heinous and criminal a Nature. Men of Senſe and Temper will rather think ſuch Charges are to be deſpiſed; to be looked upon as no other than the uſual Concomitants of an Election, after the Zeal of the Parties is ſufficiently heated againſt each other: In ſhort, that no one will believe theſe Charges, and therefore no one need be at the Pains of anſwering them. I confeſs I am of the ſame Opinion; and whilſt this Sort of Scandal has been confined to vulgar Mouths, and the Scriblers of the Day; to proſtitute Declaimers, and *London-*

Evening-Poſts, it has been indeed very harmleſs, and treated accordingly with proper Diſdain. But when the Slander is once adopted by Perſons in Authority, and becomes dignified by the Speaker; when it iſſues from the Chair of the Magiſtrate, and is retailed out again in the common News-Papers uncontradicted, the accuſed Party is then properly called upon to make its Defence. Silence, in this Caſe, would be next to a Confeſſion of Guilt; at leaſt it would betray ſomething bad in the Tempers of the Perſons accuſed, who could ſit down quietly under *authoriſed* Reproaches, regardleſs of their own Characters, as well as the Credit of the Society to which they belong.

THE Charge we are upon conſiſts properly of two Parts, which, for Method's ſake, ſhall be conſidered diſtinctly.

THE firſt Part is, that the College was *the Shop of Corruption*.—By Corruption, I ſuppoſe, muſt in this Place be underſtood, a tampering with Perſons by unlawful Means to procure their Votes. If this be

what is meant, the Vice-Chancellor is challenged to produce his Proofs of this ſhameful Charge. It is abſolutely denied; and that is the only Anſwer which can be given or expected, till he produces his Inſtances and his Proofs. Yet, though not oblig'd to it, we will give him one very ſtrong preſumptive Proof againſt his general Accuſation; which is, that the College could have no Temptation towards tampering with the Freeholders within their Walls, becauſe they who were receiv'd there, were already determined how to vote before they came in; and the Complaints made againſt the College for receiving the Freeholders were partly grounded upon this, that the *Old Intereſt* Gentlemen, (the more violent of them I mean) were hereby in a great meaſure deprived of the Opportunity of tampering with them abroad. And yet the College Walls were not a ſufficient Guard againſt every Thing of this Kind: For ſome of the *Old Intereſt* Zealots frequently forced themſelves into it, and there attempted what they have charged on the College, and which the College would have been aſhamed to practiſe.

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THE other Part of the Charge is ſtill worſe, *viz.* That *Exeter* College proſtituted itſelf, during the whole Poll, to be *the Factory of Perjury*.—This is a Charge the moſt infamous that can poſſibly be brought; and therefore, the making ſuch a Charge againſt innocent Men, is a Crime inexpiable. The Vice-Chancellor is again call'd upon to produce his Proofs. The Proof of any one Inſtance of *Subornation of Perjury* is enough to ſink for ever the Perſon guilty of it,—much more the being a *Factory of Perjury*. This is too ſerious a Matter to be trifled with, or to be laughed off with a Sneer. It has been given out, as coming from the Vice-Chancellor himſelf, that when the Rector, with certain of the Fellows, waited on him to diſcourſe ſeriouſly about his extraordinary Conduct, he only ſneer'd them.—If this be true, he muſt have harden'd himſelf wonderfully in a very ſhort Time; for the very Thought of what he was doing, when he uttered theſe Slanders, made him tremble; and he ought to be told, he forgets what is owing to the Dignity of a Vice-Chancellor, as well as to the Character of the Perſons he was diſcourſing with. *As a mad Man who caſteth Firebrands,*

Arrows, and Death; ſo is the Man that deceitfully ſlandereth his Neighbour, and ſaith, am not I in Sport?

But what is meant by the Factory of Perjury? Not ſurely the Factory of every Kind of Perjury? Such a Factory, I preſume, never yet exiſted. Or, is it to be underſtood only, of Perjury in matters relating to the Election? Let him ſay, to what Inſtances he would have this Charge applied. Let him ſay, whether the College, or any one Perſon of the College ever perſuaded any one to ſwear he was poſſeſſed of a Freehold he was not poſſeſſed of,—or, that it was of the Value of forty Shillings *per Annum*, when it was under that Value; or, adviſed the *eraſing and forging Dates* in Title Deeds, to ſtretch the Time of Poſſeſſion; or, to vote in any other Reſpect without a legal Qualification. Or, does he mean (which may poſſibly be the Caſe) that the College, or ſome Members of it, perſuaded thoſe to ſwear they had Freeholds, who were poſſeſſed only of what have been called *cuſtomary* Freeholds? If ſo, let him firſt prove that the College, or any Member of it, had any Hand

Hand in an Affair of this Nature; and if they had, that the Charge itſelf carries with it any Matter of Blame. The Vice-Chancellor is no Judge of this Point. It is a Matter of Law, with which he is no more acquainted than he ſeems to be with his own Statutes. The Freeholders had receiv'd ſuch Satisfaction on this Head, from the Judgment of able Lawyers, as did fully juſtify them in their Proceedings. Let him remember, that his own Side ſatisfied themſelves with the Opinion of one Lawyer only, in a Point much leſs clear, and ventur'd the Conſciences of their own Voters on that Opinion.—Or, does he, by his Charge of Perjury, intend to charge all thoſe who voted on the *New Intereſt* Side, as perjured on *that* Account, and mean, that the College, by encouraging ſuch Voters, made themſelves the Factory of Perjury? Probably this might be his Intention; for this ſeems to be the right Conſtruction by the Character he has given of the *New Intereſt* Freeholders, the *vulgus* PROFANUM, *&c.* And this will appear ſtill more ſtrongly, from the Compliments he hath paid the young Gentlemen, in his

Speech, on their honeſt Indignation againſt Perjury.—What Perjury? Why, the Perjury of voting for the *New Intereſt*. For this Indignation was frequently expreſſed by them in the early Time of the Poll,—before any cuſtomary Freeholders had offered themſelves,—before the Freeholders ſo charged had ſo much as appeared at the Poll,——and purely on ſeeing the Party-Badge of Diſtinction in their Hats. Here then, if he ſhall think it any Advantage to himſelf or his Cauſe, the College will be ready to make this Confeſſion, that not only thoſe Members of it, who had a Right of voting, did give their Votes on the *New Intereſt* Side, but that all the reſt (thoſe reſident at leaſt) would have done the ſame, had they enjoy'd a like Right of Voting: And what they did, or would have done themſelves, they recommended, as far as they honeſtly could, to others.—This Conceſſion Mr. Vice-Chancellor is welcome to make the moſt of. The College has much leſs Reaſon to be aſhamed of their Behaviour, than he has of his.

It is acknowledged, and ought to be ſo, that as Perjury is a Crime of the very worſt Kind, ſo an Indignation againſt thoſe who are guilty of it, is commendable both in him, and his applauded young Gentlemen. But let not this Indignation be miſplaced. Let it not be directed againſt thoſe who deteſt Perjury as much as himſelf,—I was going to ſay, more ſo. To ſcatter about ſuch horrid Charges, is a Crime next to the being guilty of Perjury itſelf.

Indeed *Exeter* College is no Stranger to this Sort of Charges upon it, but, as was before obſerv'd, they have been hitherto diſregarded, as coming from Perſons of no Character or Conſequence. Yet in one Inſtance an Exception muſt be made, which being a Charge of ſomething like *Subornation of Perjury*, and ſeeming to gain Credit at the Time, 'twas judg'd proper by the Society to diſperſe abroad the following *Advertiſement*.

Oxford, May 1754.

" THE Cook of *Exeter College* hav-
" ing thought fit, at the late Coun-
" ty Election, to offer himſelf to poll, re-
" fuſing

" fuſing at the ſame Time to take the
" Freeholder's Oath: Occaſion from thence
" has been taken to raiſe a Report, that
" the ſaid Cook had been preſſed by that
" Society to vote as a Freeholder, though
" he was not poſſeſſed of any Freehold,
" nor could in Conſcience take the above-
" ſaid Oath. As equitable Perſons may be
" deſirous to know whether there could be
" any Grounds for ſo wicked an Aſperſion,
" to ſuch the following Particulars will
" be ſatisfactory, *viz.*

" That the ſaid Cook, by his own re-
" peated Confeſſion before Witneſſes, was
" never deſired by any Perſon whatſoever,
" of *Exeter College*, to vote without having
" a legal Qualification.

" That he was never threatened with
" loſing his Place, or the like, if he did
" not vote.

" That he himſelf had given out at di-
" vers Times before the Election, that he
" had bought a Freehold, and ſhould vote
" for the *New Intereſt*.

" That

" THAT in particular he came voluntarily to one of the Society above a Twelvemonth before the Election, and acquainted him that he had bought a Freehold, and intended to vote for the *New Intereſt*.

" THAT not above three Weeks before the Election, he laid a Wager, that he was then actually poſſeſſed of a Freehold, and had a good Vote.

" THAT he was not, at the Time of Polling, or at any other Time whatſoever, put upon voting by any Member of the College, but upon the Preſumption of his being, what he pretended to be, legally poſſeſſed of ſuch a Freehold, as would qualify him to take the Oath of a Freeholder.

" THE Truth of what is here alledged (beſides the repeated Acknowledgements of the Cook himſelf) is ready to be depoſed upon Oath, were that neceſſary, for the Satisfaction of reaſonable and candid Enquirers; for, as to the unreaſonable and uncandid, the Society abovementioned is little concerned whether ſuch Perſons are pleaſed to be ſatisfied or not."

THIS

THIS ſoon obviated all ill Impreſſions with reaſonable Men, nor has the Affair been, or is likely to be, attended with any other Conſequence, than the Diſmiſſion of the Cook from the Society for his Knavery and Folly.

BUT to return to the Vice-Chancellor, one might be apt to wonder what could provoke this Gentleman to work himſelf up to ſuch a Pitch of Rage againſt a Society, who had done nothing to offend him, unleſs he reckoned it an Offence, that they had, ſome or other of them, demanded Juſtice from him in Caſes, where he was diſpoſed not to grant it. Some of theſe Caſes were important, others ſo in a leſs Degree. In none did he do full Juſtice, in ſome none at all.—That he may not complain of a Charge brought againſt him without producing Inſtances to ſupport it,

LET him remember, in how tender a Manner he treated one Offender, who was accuſed by the Rector and ſome of the Fellows, and had it fully proved on him, that he ſeveral Times cry'd out, within the Walls of *Exeter* College, *King James for ever*. He condemned him to beg Pardon

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in the Convocation Houſe, with which Sentence the Rector expreſſed himſelf very well ſatisfied, weakly imagining the Puniſhment was to be publick and exemplary. But ſo was it contrived, that this ſhould be done in the moſt private Manner, in an ordinary Congregation, at Ten in the Morning. Nor had the Rector himſelf any Notice given him of the Time, till after the Bell was down, and the Congregation ready to ſit; when the young Man was ſent to him with a bit of Paper in his Hand, containing ſome *Latin* Words he was to pronounce, by Way of Acknowledgment of his Levity.——And thus had the poor Rector the Mortification to find himſelf, in the modern Phraſe, *humbugg'd*, that is, if I underſtand the Word, trick'd and made a Jeſt of. And he was rightly ſerv'd for his Officiouſneſs.—Indeed it ſhould not be omitted, that as an Addition to this Puniſhment, the young Man was order'd by the Vice-Chancellor to aſk Pardon of the Rector and Fellows, but this Compliment was declined by the Society, as the Offence was not properly againſt them, but HIS MAJESTY.

LET him remember, with what Regard to Juſtice he treated a Complaint brought againſt two of his own College, who were charged with breaking the Windows of *Exeter* College,—were ſeen (one of them at leaſt) to have done it,—were purſued Home, and let into College. One of the Offenders ſlipt out of Town, and the other deny'd that he did it; though they had both wandered about Town together, and came home together late at Night, and therefore ought to have been conſidered as Companions in Guilt; yet did this Magiſtrate determine in a moſt arbitrary Manner, that nothing at all could be done in the Affair. He who does not reſtrain ſuch Violences, when he is empower'd and oblig'd to do ſo, muſt be underſtood to encourage them.

LET him remember, how perfectly he relieved one of the ſenior Fellows of the College, upon a Complaint made to him againſt a young Scholar, who had, within the Walls of *Exeter* College, affronted him in the groſſeſt Terms. He would have the young Man beg Pardon, indeed,

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by way of Satisfaction to the offended Perſon, but refuſed to puniſh him at all in the Way of Example, as the Statute *De contumeliis compeſcendis*, requir'd.

Let him remember once more, in what Manner he behaved, when a Complaint was brought to him againſt the Common-Room-Man of his own College. An infamous, obſcene Paper, reflecting on *Exeter* College, and on one of the Fellows in particular, as likewiſe on the two honourable Candidates of the *New Intereſt*, had been ſtuck up at *Exeter* College-Gate by this Common-Room Man and one Perſon more. The Vice-Chancellor was deſir'd to take the Evidence of this on Oath, but abſolutely refuſed to do it; and then, to evade the taking farther Cogniſance of this Inſult, pretended, that the Servant did not belong to him, but to the Common-Room: As if a Vice-Chancellor of *Oxford*, and Governor of a College, had no Authority but over his own Domeſticks! As to himſelf, perhaps it were to be wiſh'd, by ſome Perſons at leaſt, that this Doctrine could be juſtified. *When the Righteous are*

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Authority, the People rejoice: But when the beareth Rule, the People mourn.

WHAT has been ſaid in the foregoing Pages, is ſufficient, 'tis preſumed, to clear the College from the heavy Charges brought againſt it by the Vice-Chancellor in his Speech.

IT may be proper, however, to ſay ſomething to the more candid Reader, upon the Conduct of the College, conſidered in another Light. For though the Vice-Chancellor has acquitted it of any Violation of the Univerſity Statutes; yet probably others, as well as himſelf, may have reflected upon it, as acting in an *unacademical* Manner.—Let it be granted that this Charge is not wholly groundleſs.—The Word *academical* is a vague Term, being not ſtrictly defined by its Relation to the Univerſity Statutes, but extends farther to the Cuſtoms and Uſages, the Manners and Appearances of Things in a collegiate View. It may be ſaid that Colleges were not deſign'd to be Intermeddlers in County-Elections, and much leſs to receive and entertain

entertain a Multitude of Freeholders upon a conteſted Election, and that ſo far at leaſt *Exeter*-College has acted a Part unacademical. Be it ſo. Colleges were not inſtituted for the Purpoſe of Elections, nor to entertain Freeholders, but is it therefore abſolutely inconſiſtent with the Deſign of Colleges to contribute their Aſſiſtance upon an extraordinary Emergency? Is it abſolutely incompatible with their Inſtitution, that they ſhould offer their Services to the Publick in any other, than a literary Way? Are the Muſes wholly unintereſted in the Affairs of their Country, or too coy to ſtep abroad out of their native Solitude? But neither were Colleges originally deſign'd for the Entertainment of Friends, or Hoſpitality to Strangers, but ſurely not every Thing that is *beſide* the Intention of theſe Foundations, is therefore to be pronounc'd *contrary* to it. Academicks, whilſt they have Connexions with the World, and Obligations to Friends and Patrons abroad, cannot avoid acting ſometimes in a Character not properly academical. Where is the College, or the ſingle Man in the Univerſity that will undertake to have maintain'd the Character of ſtrict

Academicalneſs, if you will call it ſo, throughout? How many Inſtances of the contrary do we ſee among us every Day, every Hour of the Day, but which are never complain'd of, at leaſt whilſt theſe Inſtances are harmleſs? Theſe Seats of Learning which were antiently more ſecluded from the reſt of Mankind, are now, by the Condition and Faſhion of the Times, become more open. A freer Intercourſe is had and encouraged betwixt Academicks and Men of the World. Nor will the World about us ſuffer us to be ſo retired as our original Inſtitutions deſign'd we ſhould be. We do not make the Times, but the Times us. What was once ſuitable to them, may now, by an unavoidable Neceſſity, be moſt diſconſonant and abſurd. Our Elegancies, our Ornaments, our ſumptuous Edifices, our magnificent Domes, I had almoſt ſaid, our very Improvements are unacademical, ſo far as they are Departures from the Simplicity of our firſt Founders; and yet in every other View they are the Honour and Pride of the Age. And do not our Superiors, our Friends, our Benefactors think in the ſame Way? elſe, why thoſe Enlargements which of late

Years have been making in our Methods of Education? Why, in particular, by a late deſign'd Benefaction of one of the beſt Well-Wiſhers † to the Univerſity it ever had, are ſome of the politer and more faſhionable Arts and Exerciſes attempted to be introduced? Not ſurely in Conformity to the rigid Notions of an academical Education, but in Corformity to the Demands of the World. Not to bring the World to the Univerſity, which would be too hardy an Undertaking, but the Univerſity to it; that is, to comply as far as poſſible with the one, for the Intereſt and Proſperity of the other.

But neither perhaps were we in former Times always ſo ſtrictly academical, as ſome may be apt to imagine.

Remember, in the Time of K. *Charles* I. Colleges were made Boarding-Houſes for Officers and Strangers, as may be ſeen from moſt of the College-Books of that Time; and the very Members of the Univerſity then reſident turn'd Soldiers, and form'd a Regiment. Theſe Inſtances were never objected againſt as unacademical, in

† Lord *Hyde*.

a faulty Senſe. The extraordinary Circumſtances of the Times juſtified them.—It will be ſaid indeed, that theſe were Occaſions of the utmoſt Exigency and Importance to the Kingdom, which cannot be pleaded in the preſent Caſe. Be it allowed. Yet the Occaſion we are now ſpeaking of, was of ſome Importance at leaſt, of *great* Importance in the Eſtimation of thoſe, whom the Objection concerns. It has a Right then to be conſider'd with a proportionable degree of Allowance.—Not every Thing therefore, which is *unacademical*, is for that Reaſon *blamable*.

A REMARK or two more muſt be made upon the Vice-Chancellor's Conduct, before we conclude.

THE Vice-Chancellor has thought fit, both in his Programma of *July* 2d, as well as in the Speech we have been conſidering, to compliment the younger Part of the Univerſity on their good Behaviour at the Time of the Election.—I have no Objection to make at preſent againſt their Behaviour: but with what conſiſtency the Vice-Chan-

Chancellor, of all Men, could pay them theſe Compliments may require ſome Explanation. For obſerve, by the Programma of the 15th of *April*, "*every Scholar is ſtrictly forbid (except the Proctors*, &c. &c.) *to come near the Place of Polling; or to intrude into or mingle in any Croud*, &c.—*and this under the Penalty of having their Names put in the black Regiſter, and being farther proceeded againſt with the utmoſt Severity.*" And yet after all this, does he produce himſelf as a Witneſs of their Modeſty and good Behaviour at the Booths.—What! was He himſelf a Witneſs of their Modeſty in violating his own peremptory Injunction, "not to appear at the Booths, nor to mingle with the Freeholders in the Streets?" Had they incurred "the Penalty of being put into the Black Book, and being proceeded againſt with the utmoſt Severity;" and yet complimented at the ſame Time by the very Magiſtrate, whoſe Orders they had deſpis'd? And did he not know farther, that theſe his Orders had been diſregarded, even from the Meſſages that had been ſent to him more than once, by a Perſon of Authority, to deſire his Aſſiſtance; an Anſwer

to one of which Meſſages was, as reported, that *he might make uſe of his own Conſtables? He beſt knows, what Truth there is in it.*—But what can this mean?—Did he iſſue out theſe Orders by way of Parade, and merely for the ſake of making an Appearance of Diſcipline, but with a ſecret Intention that no Notice ſhould be taken of them? Did he deſign to compliment his Scholars at all Events, whether they obey'd or diſobey'd? Ill ſurely does it become a Magiſtate to court popular Favour, at the Expence of his Dignity, his Diſcipline, his Veracity.

I AM willing to allow the young Gentlemen as much Merit as they deſerve, but not more. To ſay, there was no room for Complaint againſt them, is not true. There was room for Complaint. Some Miſbehaviour from Scholars of other Colleges coming into *Exeter*, and treating not only the Freeholders, but the Rector himſelf with great Rudeneſs, might be here mentioned; but we want not to revive Grievances againſt any, much leſs to charge all with the Indiſcretions of ſome; whom indeed it might be thought a little hard to cenſure

at this Time of Day, ſince their Betters, I mean the Vice-Chancellor, has ſhewn his Approbation of their Behaviour towards the College, by ſo publickly inſulting it himſelf.

Another like Inſtance of Mr. Vice-Chancellor's conſiſtent Behaviour, tho' already noted, may deſerve a Reflection or two more. In anſwer to the Complaints of *Exeter*-College againſt his hard Uſage of their Society, he defends himſelf to this Purpoſe, "That he had ſaid nothing particularly againſt the Rector or Fellows, on the contrary, had diſtinctly commended them in his Speech; that he only ſpoke in general Terms, cenſuring the College, againſt whom the Complaints were general, and as became a Vice-Chancellor to do in a Speech, which was to recite the Occurrences of the paſt Year: that he had treated them even with Tenderneſs, *&c.—Timeo Danaos et dona ferentes.* But can he reckon this a Defence, and not rather a freſh Inſult? Let it be reſolv'd into its ſeveral Principles, and the Analyſis will be this: that,

To compliment a Man in one Part of a Speech (if ſuch a Compliment were not intended as a Banter) is a Proof, that the Perſon ſo complimented neither is, nor can be abuſed in another Part of it.

An Abuſe in general Terms (tho' well underſtood by every one that hears it) is no Abuſe at all.

Abuses grounded on common Fame, at the Time of a publick Election, when mad Zealots think Lying lawful, are no Abuſes.

Lastly, A Vice-Chancellor hath a Right to abuſe whom he pleaſes in a publick Speech, when he is to give an Account of the Occurrences of the paſt Year, which have happen'd during his Magiſtracy.

Now, does he not think ſuch a Defence wants another Defence, impoſſible to be made for it.

To crown all, this humane Magiſtrate, after having treated the College in the Manner before ſet forth, claims even their Thanks: He hath uſed them with Tenderneſs.

derneſs.—Such tender Mercies—are Cruelties.

Let us at laſt appeal to the generous Reader, whether, after peruſing theſe Sheets, he will not allow *Exeter*-College to expoſtulate with the Vice-Chancellor in ſome ſuch Manner as follows.

Mr. Vice-Chancellor, you are the Governor of the Univerſity, and, as ſuch, the Protector of its Honour and Fame. Every Member of the Univerſity, much more every Society in it, is under your Protection. The Peace and Credit of all and each is moſt wiſely provided for in the Statutes by the ſtricteſt Prohibitions againſt Calumny and Defamation. Theſe Statutes, Sir, you are Guardian of, and have ſworn to obſerve: and yet you ſeem to think you are the only Perſon that have a Right to break them. You have taken upon you to reprobate a Body of Men, a whole Society at once, in the moſt public Manner, in the Face of the whole Univerſity, in the groſſeſt and moſt aggravating Terms. You have laid Charges againſt them of Crimes of the deepeſt Dye. This you have done without

the leaſt Proof, without even the Appearance of a Proof of ſuch Accuſations, as ought to be ſupported by the ſtrongeſt. You have ſtoop'd even to the loweſt degree of Scandal and Abuſe, unworthy the Mouth even of the moſt Vulgar, and which none but the moſt licentious has ever utter'd.—

How much below the Dignity of the Chair do you deſcend to the bittereſt Invectives againſt an incorporated Society, a no inconſiderable Branch, of your *Alma Mater*? A Proceeding, for which you have no Example amongſt your Predeceſſors in that venerable Office!—for which you have no Example from any Perſon of Station in the Univerſity; after *one* Man at leaſt is excepted, whoſe proſtituted Character is too well known to need Reprehenſion, or even Notice. One, who having offer'd himſelf to Sale both in *E——d* and *I——d*, and being found not worth the Purchaſe, has been ever ſince employing his Pen and his Tongue in ſeditious Pamphlets and factious Harangues; libelling all Ranks and Orders of Men both in Church and State, even from him that ſitteth on the Throne to the loweſt of his People.

People. The Effects of diſappointed Ambition and a malignant Heart! a *Dreamer*, in his own Account! in the Account of the Apoſtle, one of thoſe *filthy Dreamers*, whoſe Character it is, *to deſpiſe Dominion, and ſpeak evil of Dignities!* aDefamer of that Government, whoſe greateſt Reproach it is, that ſuch abandon'd Libellers are indulg'd the Uſe of Pen, Ink, and Paper!

AND yet, Mr. Vice-Chancellor, have you been licking the Footſteps of this gloomy Incendiary, and applauding his Performances, as if the Welfare of the Univerſity depended upon his Smiles and Patronage!

Non tali auxilio—non Defenſoribus iſtis
Tempus eget.—

Through the Prudence of them which are in Authority, the City ſhall be inhabited.---Was it prudent in you, Sir, to ſet yourMark upon a whole Society under your Government, that every one that paſſeth by might hiſs at it? A Society, which till now has never been acoounted a Diſhonour to its *Alma Mater!* whether you conſider its Reputation

putation for Diſcipline, for Learning, for its Services to the Public both civil and religious, for the Reſort of Youth to it for Education, for Men of Eminence and Abilities who have been educated in it both formerly and latterly, more eſpecially for its conſtant Regards to academical Inſtitutions; in all theſe Reſpects, it will not ſurely be too oſtentatious to ſay, that *Exeter*-College, in Proportion to the Size of its Foundation and the Extent of its Influence, has contributed its Share towards raiſing and maintaining the Fame of this celebrated Seat of Learning. — What then is their Crime? No Matter. Whatever it be — *delenda eſt Carthago.* No Quarter from me! — I am offended: — let them take it for their Pains. —Are you offended, Sir, that they lie under the Suſpicion of too much Loyalty? — of too great an Affection for that Eſtabliſhment, to which you, as well as they, have ſubſcribed your Allegiance and Fidelity? Have any Members of the Univerſity been ſuſpected of Want of Affection to the Government, and Reports thereupon been raiſed to the Diſadvantage of the Univerſity in general? Have *Exeter*-College been the

Au-

Authors of theſe Reports? you will not ſay it. Why then have you proſcrib'd it as an Enemy to the Univerſity? — Have you now taken the proper Methods to wipe off theſe Aſperſions.

Had I had the Honour of being your Privy-Councellor, you ſhould have follow'd another Courſe. You ſhould not have joined the Mob-Clamour againſt the College, for uſing the Privilege, which every *Engliſhman* claims, of engaging themſelves and their Services on the Side they like beſt, tho' contrary to your own. So far from countenancing, you ſhould have diſcouraged ſuch Clamors in others. You ſhould not have dipped your Pen in Gall, when you were compoſing your anniverſary Oration, in order to expoſe the College to public Reproach, even had they been as blamable upon this Occaſion, as you have repreſented them. In this, Sir, you have been no Friend to the Univerſity, nor to yourſelf. For what can this naturally tend to, but to confirm thoſe Suſpicions of Diſaffection, which you would ſeem ſo anxious to remove? Such violent Outrage upon a

Body

Body of Men, for ſhewing their Zeal in this Cauſe,—an Over-zeal let us for once ſuppoſe it, what elſe can it be thought of abroad, but that in reality you are as zealous in *another* Cauſe, which you dare not own? Candid Men, indeed, may diſtinguiſh, and conclude, as they ought, that the Univerſity is not affected by ſuch a Reflection, but the Magiſtrate only who gives the Occaſion for it: 'Tis well if they ſtop at this Concluſion.—Had I been your Adviſer, you ſhould have taken the moderate Part at leaſt, and have ſpared your Cenſures upon the little Appearances of Unacademicalneſs in the College, conſidering the Exigency of the Caſe, the laudable Motives they acted from, the Juſtice they thought due to the Intereſts of the Cauſe they eſpouſed, and their Humanity in giving Shelter and Aſſiſtance to the honeſt Freeholders. Inſtead of this, you have repreſented the Freeholders themſelves of that Side, as a Company of Savages, and their Encouragers a Neſt of Profligates and Outcaſts.—I ſhould in particular have adviſed, to avoid flattering the Buffoonery of an Orator, who for thirty Years paſt, by his intemperate

Zeal,

Zeal, for nobody knows what, has brought more Diſcredit and Reflections upon the Univerſity, than a thouſand others can make amends for in ſo many Years to come. And laſtly, I would have adviſed a Magiſtrate in your Situation to diveſt *himſelf* likewiſe of all Party-Rage, and however hearty a Well-wiſher he might be to the Succeſs of his own Side, yet to have avoided all Abuſes upon thoſe of the other.—This, Sir, ſhould have been your Plan. And in this you would have acted for the Honour of the Univerſity, with Candor towards *Exeter* College, and with Credit to yourſelf. And had you done ſo, you would have ſaved yourſelf the Mortification of this unwelcome Addreſs, and the Author the diſagreeable Taſk of an invidious Expoſtulation with the Governor of the Univerſity.

FINIS.

ERRATUM.

Page 25. Line *ult. for* diſtingable, *read* diſtinguiſhable.

FINIS.